



10-30-02

2831

<b>TRANSMITTAL FORM</b>  (for all correspondence after initial filing)	Attorney Docket No. <b>ONX-107A</b>	Total Pages
	Application Number <b>09/810,333</b>	
	Filing Date <b>3/14/2001</b>	
	First Named Inventor <b>BEHRANG BEHIN</b>	
	Group Art Unit <b>2831</b>	
	Examiner <b>NOT YET ASSIGNED</b>	

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)	<input type="checkbox"/> Response to Notice of Missing Parts
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Applicant Claims Small Entity Status
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Declaration by Inventors
<input type="checkbox"/> Response/Amendment	<input type="checkbox"/> Assignment papers
<input type="checkbox"/> After Final Rejection	<input type="checkbox"/> Power of Attorney by Assignee
<input type="checkbox"/> After Allowance communication to Group	<input checked="" type="checkbox"/> IDS/PTO-1449
<input type="checkbox"/> with Corrected Drawing(s) Total Sheets: [ ]	<input checked="" type="checkbox"/> with copies of cited references
<input type="checkbox"/> with Affidavits/Declarations	<input type="checkbox"/> New Power of Attorney and Revocation of Old
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Other:

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SIGNATURE OF AGENT	
NAME	<b>JOSHUA D. ISENBERG, REG. NO. 41,088</b>
Signature	<i>Joshua D. Isenberg</i>
Date	<b>10/28/2002</b>

Certificate of Mailing by "Regular Mail"	
I hereby certify that I am mailing this correspondence on the date indicated below to the ASSISTANT COMMISSIONER FOR PATENTS, P.O. BOX 2327, ARLINGTON, VA 22202, using the "Express Mail Post Office to Addressee" service of the United States Postal Service under 37 CFR 1.10.	
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<u><i>Bing Li</i></u>	EXPRESS MAIL LABEL: <b>EU 633836058 US</b>
<b>NAME OF PERSON SIGNING</b>	



**In the United States Patent and Trademark Office**

#5

Application No.: 09/810,333  
Filed: 3/14/2001  
Title: Muti-Layer, Self-Aligned Vertical Combdrive Electrostatic Acutators and Fabrication Methods  
Applicants: Behrang Behin et al.  
Examiner: Not Yet Assigned  
Art Unit: 2831

EXPRESS MAIL LABEL # EU 63383605845

Mailed: 10/28/2002  
Fremont, CA

**Information Disclosure Statement**

Commissioner of Patents and Trademarks  
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon. It is requested that the document(s) on the enclosed form be made of record.

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**Part I (Authority)**

This statement is filed pursuant to:

☒ 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

☐ 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

☐ 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

**Conditional Petition**

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

## Part II (Payment)

A check is enclosed as indicated:

- ☒ (X) No fee is due.
- ☐ ( ) The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).
- ☐ ( ) The petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$180).

## Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- ☒ (X) No certification is necessary.
- ☐ ( )
  - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
  - ☐ ( ) The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
  - ☐ ( ) The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ☐ ( ) (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

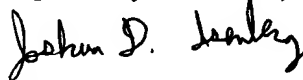
## Part IV (Additional Statement)

An additional statement regarding these items of information (X) is, ( ) is not, enclosed.

Copies of the cited art (X) are enclosed, ( ) are of record in parent application Serial No. \_\_\_\_\_ and will be provided if the Examiner deems it convenient.

Dated: 10/28/2002

Respectfully submitted,



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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE										AGENT DOCKET NO. <b>ONX-107A</b>		SERIAL NO. <b>09/810,333</b>		
<b>LIST OF PRIOR ART CITED BY APPLICANT</b> (Use several sheets if necessary)										APPLICANT <b>Behrang Behin et al.</b>				
										FILING DATE <b>March 14, 2001</b>		GROUP <b>2831</b>		
<b>U.S. PATENT DOCUMENTS</b>														
INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	A	6	3	7	4	0	0	8	4/16/2002	Solgaard et al.	385	17	2/8/2001	
	B	6	3	6	0	0	3	5	3/19/2002	Hurst et al.	385	16	6/2/2000	
	C	6	3	2	9	7	3	7	12/11/2001	Jerman et al.	310	309	12/15/1999	
	D	6	3	0	1	4	0	3	10/9/2001	Heanue et al.	385	18	12/15/1999	
	E	6	2	9	6	7	7	9	10/2/2001	Clark et al.	216	66	2/22/1999	
	F	6	2	5	7	0	6	2	7/10/2001	Rich	73	514.32	10/1/1999	
	G	6	2	5	3	6	1	2	7/3/2001	Lemkin et al.	73	504.02	5/28/1999	
	H	6	2	1	2	3	0	9	4/3/2001	Nguyen et al.	385	17	1/21/1999	
	I	6	2	0	1	6	2	9	3/13/2001	McClelland et al.	359	223	8/26/1998	
	J	6	1	3	7	9	4	1	10/24/2000	Robinson	385	140	9/3/1998	
	K	6	1	3	4	2	0	7	10/17/2000	Jerman et al.	369	112	8/17/1998	
	L	6	1	3	3	6	7	0	10/17/2000	Rodgers et al.	310	309	6/24/1999	
	M	6	0	7	3	4	8	4	6/13/2000	Miller et al.	73	105	7/18/1998	
	N	6	0	6	7	8	5	8	5/30/2000	Clark et al.	73	504.16	5/30/1997	
	O	6	0	0	0	2	8	0	12/14/1999	Miller et al.	73	105	3/23/1998	
	P	5	9	6	9	8	4	8	10/19/1999	Lee et al.	359	298	7/3/1997	
	Q	5	8	6	7	2	9	7	2/12/1999	Kiang et al.	359	198	2/7/1997	
	R	5	5	6	5	6	2	5	10/15/1996	Howe et al.	73	514.16	12/1/1994	
	S	5	5	4	3	9	5	6	8/6/1996	Nakagawa et al.	359	225	10/6/1993	
	T	5	5	4	1	4	3	7	6/30/1996	Watanabe et al.	257	417	3/14/1995	
	U	5	4	0	8	7	3	1	4/25/1995	Bergqvist et al.	29	25.41	11/5/1993	
	V	4	4	1	3	7	6	6	11/8/1993	Webster	228	123	4/3/1981	
	W	4	3	1	7	6	1	1	3/2/1982	Petersen	350	6.6	5/19/1980	
<b>FOREIGN PATENT DOCUMENTS</b>														
		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
<b>OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)</b>														
<b>EXAMINER</b>										<b>DATE CONSIDERED</b>				
* <b>EXAMINER:</b> Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.														

